

HOUSE BILL 343

By Winningham

AN ACT to amend Tennessee Code Annotated, Section 49-3-351, relative to the basic education program.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-3-351, is amended by deleting subsection (d) in its entirety and by substituting instead the following:

(d) Notwithstanding any other section or law to the contrary, the BEP of every LEA will be calculated on the basis of current year ADM. Every LEA will be initially funded in the current year based on prior year ADM until sufficient ADM data is submitted by LEAs to effectuate the current year calculation. When sufficient ADM data is submitted, an estimated fifty percent (50%) of the difference between the amount funded based on prior year ADM and amount calculated based on current year ADM shall be distributed to such eligible LEA by February 1, with the remainder, subject to any adjustment of numbers by the department of education that may affect the remaining amount, to be distributed by the following June 30. When an LEA's current year funding based on prior year funded ADM exceeds the calculated amount based on current year ADM, the LEA shall be funded based on prior year ADM. In calculating the allocations under the BEP formula, the commissioner, with the approval of the state board of education and the commissioner of finance and administration, shall establish the definitions of ADM that will be used to determine each LEA's BEP funding. As used in this section, the definition of ADM will include FTEADM, identified and served special education students (I&S), and vocational FTEADM. It is the legislative intent that the definitions so established approximate as closely as possible full year ADM and that rounding within the BEP be eliminated.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring
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